

LIQUOR ADVISORY BOARD
Tuesday, December 15, 2009
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

LAB Members:	Alicia DiBenedetto Neubauer Aaron Magdziarz Scott Sanders Craig Sockwell
Absent:	Dan Roszkowski Julio Salgado
Staff:	Jennifer Cacciapaglia, Attorney for Liquor Commission Todd Cagnoni, Deputy Director, Construction Services Division Sandra Hawthorne, Administrative Assistant Jon Hollander, Public Works
Others:	Kathy Berg, Stenographer Applicants and Interested Parties

The meeting started at 6:00 P.M. A **MOTION** was made by Alicia Neubauer to **APPROVE** the minutes of the November 17, 2009 meeting as submitted. The **MOTION** was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0 with Dan Roszkowski and Julio Salgado absent.

Sandra Hawthorne explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative are to come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name and address to the Liquor Advisory Board secretary and the stenographer
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

It was further explained to the public in attendance, applicants, objectors and interested parties that this meeting is not a final vote on any item. The date of the next meeting was given as Monday, December 28th at 4:30 PM in Conference Room A of this building. The public in attendance, applicants, objectors and interested parties were instructed that they could contact Sandra Hawthorne in the Zoning Office for any further information by calling the phone number listed on the top of the agenda which was made available at the beginning of the meeting to all those in attendance.

09-LAB-016

Applicant:
Ward 4

3801 North Perryville Road, #110

Can Lin / Mizu Sushi Thai Restaurant
Sale of beer and wine by the drink in conjunction with a sit-down restaurant in a C-2, Limited Commercial Zoning District

The subject property is located 730 feet south of the East Riverside Boulevard and North Perryville Road intersection and is the now vacant tenant space that was Breeze Restaurant. Can Lin, Applicant, was present along with his representative May Chen. Ms. Chen reviewed their request. Attorney Cacciapaglia asked if they would have any live entertainment. Ms. Chen stated they would not, they only wished to provide their customers with the opportunity to purchase beer and wine. Attorney Cacciapaglia then asked the Board to add a condition that there be no live entertainment.

Staff Recommendation was for Approval with 6 conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of beer and wine by the drink in conjunction with a sit-down restaurant in the name of Can Lin d/b/a Mizu Sushi Thai Restaurant in a C-2, Limited Commercial Zoning District at 3801 North Perryville Road, #110, with added condition 7. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. the hours of operation will be limited to 11:00 A.M. to 2:30 P.M. and 4:30 P.M. to 10:00 P.M. Monday through Thursday.
4. The hours of operation will be limited to 11:00 A.M. to 2:30 P.M. and 4:30 P.M. to 11:00 P.M. Friday through Saturday.
5. The hours of operation will be limited to 12:00 P.M. to 9:00 P.M. Sunday.
6. The sale of alcohol shall be limited to the interior site plan submitted.
7. There shall be no live entertainment.

09-LAB-017

Applicant
Ward 12

908 West Riverside Boulevard

Daniel Callahan d/b/a JD Sports Bar & Grill
Sale of alcohol by the drink in conjunction with a Sports Bar and Grill in a C-2, Limited Commercial District

The subject property is located on the southeast corner of the intersection of North Main Street and West Riverside Boulevard and is currently a Sports Bar and Grill. Daniel Callahan, Applicant, reviewed his request. Mr. Callahan stated he is purchasing this business and will continue to run it as it has been in the past. He mentioned there have been no problems with police calls other than a few over the years and it is his intention that the business continue to operate without incident.

Staff Recommendation was for Approval with 4 conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Aaron Magdziarz to **APPROVE** the sale of alcohol by the drink in conjunction with a Sports Bar and Grill in the name of Daniel Callahan d/b/a Callahan Holding Corporation in a C-2, Limited Commercial District at 908 West Riverside Boulevard. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. Meeting all applicable Liquor Codes, Building Codes and Fire Codes
2. Must be in accordance with the Business and Security plans
3. That there shall be no cover charge to enter or dance floor/stage area over 150 square feet
4. Hours of operation are limited as shown within Exhibit F

09-LAB-018

Applicant
Ward 6

1201 Sandy Hollow Road

Salvador Hernandez / d/b/a Hacienda Real
Sale of alcohol by the drink in conjunction with a restaurant in a C-3, General Commercial District

The subject property is located south of Sandy Hollow Road within the Southgate Shopping Center and is currently a restaurant. The property is changing hands and will be named "*Hacienda Real*" under the new owners. Larry Anderson, Salvador Hernandez, and Alderman Lenny Jacobson were present. Mr. Anderson reviewed the request for the Applicant. He stated they are in agreement with Staff Recommendation and that it is their intent is to continue operating as previously. There will be no live entertainment. Attorney Cacciapaglia asked if the Applicant was comfortable with adding a condition that there be no live entertainment and the Applicant was in agreement. Attorney Cacciapaglia advised Mr. Hernandez that her office is still missing 5 documents and these are required if they plan to open by January 1st. Mr. Cagnoni also advised they should request a suspension of rules in order to meet the January 1st opening date.

Alderman Lenny Jacobson spoke in favor of the applicant. He stated the food is good and the service is incredible, adding that he gives his support to this application.

Staff Recommendation was for Approval with 2 conditions. No Objectors or Interested Parties were present.

Mr. Sockwell stated it appears to be unclear as to who owns what parcel. Mr. Cagnoni stated this does not seem to be a problem and should not affect this project.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of alcohol by the drink in conjunction with a restaurant in the name of Salvador Hernandez d/b/a Hacienda Real in a C-3, General Commercial District with added condition 3. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.
2. Hours of operation are limited as provided on the submitted Business Plan Exhibit F
3. There shall be no live entertainment

09-LAB-015

Applicant
Ward 11

1019 Broadway

Frank Amato d/b/a Body Shop on Broadway
Sale of liquor by the drink in conjunction with a night club, live music venue and karaoke bar in a C-4, Urban Mixed-Use District

This item was Laid Over at the November meeting because the Board requested further information from the Applicant. The required information had not been received at the time of this December meeting. Staff requested that this item be Laid Over to January, pending the receipt of requested information from the Applicant prior to that meeting.

A **MOTION** was made by Aaron Magdziarz to **LAY OVER** the sale of liquor by the drink in conjunction with a night club, live music venue and karaoke bar in the name of Frank Amato d/b/a Body Shop on Broadway in a C-4, Urban Mixed-Use District at 1019 Broadway. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0.

With no further business to come before the Board, the meeting was adjourned at 6:19 P.M.

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Liquor Advisory Board